

801) Summons in a Civil Action

UNITED STATES DISTRICT COURT

Southern

District of

New York

MICHAEL ANTANATIS, on behalf of himself and
others similarly situated

SUMMONS IN A CIVIL ACTION

V.

Bouley Bakery Operating LLC d/b/a Bouley
Restaurant, Danube Operating LLC d/b/a

08 CV 6302

CASE NUMBER:

JUDGE HOLWELL

TO: (Name and address of Defendant)

DAVID BOULEY
C/O BOULEY BAKERY OPERATING LLC
DANUBE OPERATING LLC
88 WEST BROADWAY
NEW YORK, NEW YORK, 10007

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and address)

D. Malmon Kirschenbaum
Joseph & Hertzfeld LLP
757 Third Avenue
25th Floor
New York, NY 10017

an answer to the complaint which is served on you with this summons, within 30 days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

J. MICHAEL McMAHON

JUL 14 2008

CLERK

DATE

(By) DEPUTY CLERK

Catherine Lapley

UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF NEW YORK

MICHAEL ANTANATIS, on behalf of himself and others similarly situated,

Plaintiff

v.

Bouley Bakery Operating LLC d/b/a Bouley Restaurant, Danube Operating LLC,

Defendant(s)

Case No.: 08 CV 6302
Filing Date: 07-14-2008

ATTY:

JOSEPH & HERZFELD, LLP Attorneys at Law
757 Third Avenue, 25th Floor
New York, NY 10017

AFFIDAVIT OF SERVICE

STATE OF New York: COUNTY OF Kings ss:

I, LOAI F. SARSOOR, being duly sworn deposes and says deponent is not a party to this action, I am over the age of eighteen years and reside in the state of New York. That on JULY 28, 2008 at 11:25 AM at 88 WEST BROADWAY, 5TH FLOOR, NEW YORK, NY 10007, recipients BUSINESS OFFICE deponent served the within SUMMONS IN A CIVIL ACTION AND COMPLAINT on BOULEY BAKERY OPERATING LLC D/B/A BOULEY RESTAURANT therein named.

CORPORATION: a corporation by delivering thereto a true copy of each to JAY PINCU personally, deponent knew said corporation so served to be the corporation described in legal papers and knew said individual to be the GENERAL MANAGER authorized agent thereof.

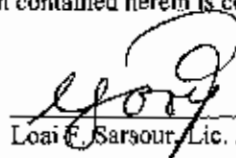
DESCRIPTION: Deponent further states that the description of the person actually served is as follows:

Gender: Male Race/Skin: White Hair: Blond Glasses: No Age: 40 Height: 6'-2" Weight: 210

COMMENTS:

MILITARY SERVICE: Person spoken to was asked whether the recipient was in the military service of the State of New York or the United States and received a negative reply. Upon information and belief based upon the conversation and observation as aforesaid deponent avers that the recipient is not in the military service of the State of New York or the United States as that term is defined in the statutes of the State of New York or the Federal Soldiers and Sailors Civil Relief Act.

I declare under penalties of perjury that the information contained herein is correct to the best of my knowledge.


Loai F. Sarsour, Lic. #1133309

7-30-08
Executed on:

Subscribed and sworn to before me, a notary public, on this 30th day of July, 2008.


Notary Public

My Commission Expires:

MARIAL BASS
Notary Public, State of New York
No. 01BA6107290
Qualified in Kings County
Commission Expires March 22, 2011

UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF NEW YORK

MICHAEL ANTANATIS, on behalf of himself and others similarly situated,

Plaintiff

v.

Bouley Bakery Operating LLC d/b/a Bouley Restaurant, Danube Operating LLC,

Defendant(s)

Case No.: 08 CV 6302

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ATTY:

JOSEPH & HERZFELD, LLP Attorneys at Law
757 Third Avenue, 25th Floor
New York, NY 10017

AFFIDAVIT OF SERVICE

STATE OF New York: COUNTY OF Kings ss:

I, LOAI F. SARSOOR, being duly sworn deposes and says deponent is not a party to this action, I am over the age of eighteen years and reside in the state of New York. That on JULY 28, 2008 at 1:25 PM at 88 WEST BROADWAY, 5TH FLOOR, NEW YORK, NY 10007, recipients BUSINESS OFFICE deponent served the within SUMMONS IN A CIVIL ACTION AND COMPLAINT on DANUBE OPERATING LLC therein named.

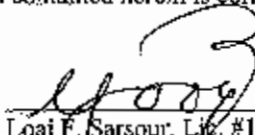
CORPORATION: a corporation by delivering thereto a true copy of each to JAY FINCH personally, deponent knew said corporation so served to be the corporation described in legal papers and knew said individual to be the GENERAL MANAGER authorized agent thereof.

DESCRIPTION: Deponent further states that the description of the person actually served is as follows:
Gender: Male Race/Skin: White Hair: Blond Glasses: No Age: 40 Height: 6'-2" Weight: 210

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I declare under penalties of perjury that the information contained herein is correct to the best of my knowledge.


Loai F. Sarsour, Lic. #1133309

7-30-08
Executed on:

Subscribed and sworn to before me, a notary public, on this 30th day of July, 2008.


Notary Public

My Commission Expires:

MARIA L. BASS
Notary Public, State of New York
No. 01BAB107280
Qualified In Kings County
Commission Expires March 22, 2011